GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Service Matters - PRED – Orders of APAT in OA No.10890 of 2002 filed by Sri S.Joji Reddy, Draughtsman Gr.III, PR Division, Nandyal for absorption into Panchayat Raj Engeering Department – WP filed by the Government before the Hon'ble High Court – Implementation of orders of Hon'ble High Court of A.P. Dt.06.07.2022 in WP Nos.10553 and 2343 of 2022 – Absorption of individual – Orders - Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT(E.1) DEPARTMENT

G.O.Ms.No.14 **Dated:29.02.2024**

Read the following:

1. From the Engineer-in-Chief, Panchayat Raj, Hyd., Lr.No.SO-1/Z-IV/8009/2011, Dated:08.02.2012.
2. Govt.Memo.No.20245/Estt.II/1/2002-1, PR&RD (Estt.II) Dept., Dept., Dt.30.09.2002.
3. Orders of Hon'ble APAT dt. 04.03.2009 in OA No.10890 of 2002 filed by Sri S.Joji Reddy, JTO, PR Division, Nandyal.
4. Govt.Memo.No.5735/E.I(2)/2012-1, PR&RD(E.I(2)) Dept., dt.21.09.2016.
5. Representation of Sri S.Joji Reddy, JTO, PR Division, Nandyal, dt.18.01.2022.
6. Orders of Hon'ble High Court of A.P. Dt.06.07.2022 in WP Nos.10553 and 2343 of 2022 filed by filed by ENC, PR and Sri S.Joji Reddy, JTO, PR Division, Nandyal respectively.
7. From the Engineer-in-Chief, Panchayat Raj, Letter No.Ser.IV (3)/8009/2011, Dated:14.09.2022 & 14.12.2023.

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In the letter 1st read above, the Engineer-in-Chief, Panchayat Raj has informed that Sri S.Joji Reddy, Draughtsman Gr.III, A.P. Scheduled Caste Co-operative Finance Corporation Ltd., Kadapa was absorbed temporarily in Panchayat Raj Engineering. Department on departmental transfer with a condition that he should take last rank in the cadre of Draughtsman Gr.III in Panchayat Raj Engineering Department in Zone-IV. The individual has joined in Panchayat Raj Engineering Department in Rural Water Supply Sub-division, Nandyal, Kurnool Dist. The individual has approached the Hon'ble Tribunal and filed OA No.1018/2000 for regularisation of his services and the Tribunal has directed the applicant to make a representation to the concerned authorities and further directed the official respondents to consider the case of the applicant for regularisation of his services in the Panchayat Raj Department. It is further reported that depending upon the orders passed thereon with regard to his regularisation for promotion/appointment by transfer also be examined and appropriate orders be passed on the representation in accordance with rules. Accordingly, after examination, the Govt. in the Memo 2nd read above, have rejected the proposal of Engineer-in-Chief, Panchayat Raj for regularisation of the services of Sri S.Joji Reddy, Draughtsman Gr.III, who absorbed in Panchayat Raj Engineering Department from A.P. Schedule Caste Co-operative Finance Corporation Ltd., Kadapa. In response to this, the Superintending Engineer, RWS, Kurnool issued orders to Sri S.Joji Reddy surrendering the services to his parent Department.

2. Aggrieved by the orders of Superintending Engineer, RWS, Kurnool, the individual has approached the Hon'ble APAT and filed OA No.10890/2002 and the Hon'ble Tribunal have passed its orders dt.04.03.2009 in the reference 3rd read above as follows:

> *"....In the result, the O.A. is allowed. The impugned order, dt.19.11.2002 issued by the 3 rd respondent is set aside. The respondents are directed to absorb the applicant in PR Dept. on permanent basis, fix his seniority and extend all consequential benefits according to Rules V.M.A No.36/2003 is dismissed. No order as to costs."*

(P.T.O)

3. In the Memo. 4th read above, Government have requested the Engineer-in-Chief, Panchayat Raj to examine the case with reference to the relevant rules and also keeping in view of the Hon'ble APAT orders in OA No. 10890/2002 filed by Sri S.Joji Reddy, JTO and also examine the possibility of filing of appeal against the orders of Hon'ble APAT in OA No. 10890/2002. In the representation 5th read above, Sri S.Joji Reddy, JTO, PR Division, Nandyal has submitted a representation to Govt. with a request to implement the orders of Hon'ble AP Administrative Tribunal dt. 04.03.2009 in the OA No.10890 of 2002 filed by the petitioner.

4. While the issue is under examination, Sri S.Joji Reddy, JTO, PR Division, Nandyal has approached the Hon'ble High Court and filed WP No.2343 of 2022 with a prayer to direct the respondents to implement the orders of the tribunal in the OA No.10890 of 2002 dt.04.03.2009. In the meanwhile, the Engineer-in-Chief, Panchayat Raj has approached the Hon'ble High Court and filed WP No. 10553 of 2022 against the orders of the Hon'ble APAT dt.04.03.2009 in the OA No.10890 of 2022 filed by the Petitioner.

5. In the reference 6th read above, the Hon'ble High Court have passed the following orders on 06.07.2022 in the WP Nos. 10553 and 2343 of 2022 filed by the Engineer-in-Chief, Panchayat Raj and Sri S.Joji Reddy, JTO respectively:

"....For the aforesaid reasons, WP No.10553 of 2022 is dismissed and WP No.2343 of 2022 is disposed of, directing the respondents in the said writ petition to implement the order dt. 04.03.2009, passed by the tribunal in OA No.10890 of 2002 as expeditiously as possible, preferably with in a period of three(3) months from the date of receipt of a copy of this order....." .

6. In the letter 7th read above, the Engineer-in-Chief, Panchayat Raj has requested the Govt. to take necessary action for regularisation of the services of Sri S.Joji Reddy, JTO, Panchayat Raj Division, Nandyal keeping in view of the orders of Hon'ble High Court in W.P Nos.10553 of 2022 and 2343 of 2022 respectively.

7. In the circumstances reported by the Engineer-in-Chief, Panchayat Raj in the letter 7th read above and in order to comply with the orders of the Hon'ble High Court dt.06.07.2022 in WP No.10553 and 2343 of 2022, Government after careful consideration of the matter, hereby permits the Engineer-in-Chief Panchayat Raj to absorb Sri S.Joji Reddy, the then Draughtsman Gr.III, O/o. the Execuive Engineer, Panchayat Raj Division, Nandyal into Panchayat Raj Engineering Department on permanent basis and to fix his seniority and to extend all consequential benefits, in relaxation of rules, as a special case.

8. The Engineer-in-Chief, Panchayat Raj shall take necessary action accordingly in the matter and this order should not be quoted as a precedent case.

9. This order issues with the concurrence of Finance (HR.I-Plg.&Policy) Dept. vide their U.O.No.1888610/HR/301/2022/HR.I, dated:26.02.2024.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

B RAJSEKHAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
The Engineer-in- Chief, Panchayat Raj, AP., Vijayawada.
Copy to:
Sri Joji Reddy, JTO, PR Division, Nandyal through the Engineer-in-Chief, Panchayat Raj, AP., Vijayawada.
The Superintending Engineer, Panchayat Raj, Nandyal.
The Government Pleader Services(IV) , A.P High Court of A.P.

The Accountant General (A&E), A.P., Vijayawada.
The Pay and Accounts Officer, A.P., Mangalagiri
The Director Treasuries & Accounts, A.P., Mangalagiri
The OSD to Dy.CM(PR&RD).
The P.S to Spl. Chief Secretary (PR&RD)
File.

//FORWARDED::BY ORDER//

SECTION OFFICER